

**MINUTES OF  
CITY OF DUVALL  
COUNCIL MEETING  
02-13-03  
7:00 PM**

**WORKSHOP – 5:30 PM: Volunteer Appreciation Reception held at the Glen Kuntz W.R.E.C.K. Center.**

**The City Council Meeting was called to order by Mayor Nixon at 7:00 PM.**

**Council Present:** Mark Cole, Pat Fullmer, Will Ibershof, Tom Loutsis, Julie Benjamin, Greg Von Tobel, Jeffrey Possinger (took his seat immediately upon appointment)

**Staff Present:** Doreen Wise, Steve Schuller, Steve King, Kenyon Law Firm; Dianne Nelson, Jodi Lee Wycoff, Cecelia Boulais, Chief Merryman

**ADDITIONS OR CORRECTIONS TO THE AGENDA:**

**Under Consent Agenda add:**

Payroll in the amount of \$122,111.43

Claims in the amount of \$350,103.87

**Under Mayor add: Proclamation: Volunteer Appreciation Day**

**Under Council add: Julie Benjamin and Pat Fullmer**

**Under Executive Session: Add 5 minutes for Litigation**

**APPOINTMENT OF COUNCIL POSITION #2:**

Councilmember Ibershof requested that each Councilmember announce who their top two candidates were.

Councilmember Loutsis: Jeffrey Possinger, Heather Page

Councilmember Von Tobel: Jeffrey Possinger, Heather Page

Councilmember Ibershof: Heather Page, Jeffrey Possinger

Councilmember Fullmer: Heather Page, Jeffrey Possinger

Councilmember Benjamin: Douglas Carmean, Jeffrey Possinger

Councilmember Cole: Brooke Swart, Heather Page

Councilmember Ibershof requested each nominated applicant to say a few words about themselves and why they want to be a Councilmember. Heather Page, Jeffrey Possinger and Brooke Swart spoke. Douglas Carmean withdrew his application.

*Was moved and seconded (Fullmer - Benjamin) to appoint Heather Page to council position #2. Motion failed due to a tie vote.*

*Was moved and seconded (Benjamin - Loutsis) to appoint Jeffrey Possinger to council position #2. Motion failed due to a tie vote.*

*Was moved and seconded (Fullmer - Cole) to appoint Heather Page to council position #2. Motion failed due to a tie vote.*

There was a discussion regarding having Mayor Nixon break the tie by casting a vote.

*Was moved and seconded (Fullmer - Cole) to appoint Heather Page to council position #2. Motion failed. (2 Ayes Fullmer, Cole; 4 Nays Benjamin, Ibershof, Von Tobel, Loutsis)*

*Was moved and seconded (Loutsis - Benjamin) to appoint Jeffrey Possinger to council position #2. Motion passed. (4 Ayes Benjamin, Ibershof, Von Tobel, Loutsis; 2 Nays Fullmer, Cole)*

Jeffrey Possinger was sworn in by Mayor Nixon and took his seat immediately.

#### **COMMENTS FROM THE AUDIENCE:**

**Eric Nelson, 27102 NE Cherry Valley Rd**, encouraged Council to support AB03-11 on the agenda tonight. He also thanked City staff and Council for their help in creating this new policy.

**George Bertrum, American Legion Post #199, Carnation**, presented Council with a check for \$100.00 for the Jeane Baldwin Memorial Skate Park Fund. He also mentioned that there is always room at the American Legion for any veterans who want to become members.

#### **APPROVAL OF CONSENT AGENDA:**

*Was moved and seconded (Fullmer - Benjamin) to approve the consent agenda which included Payroll in the amount of \$122,111.43; Claims in the amount of \$350,103.87; and the Council Meeting Minutes of 1/23/03. Carried. (6 ayes).*

#### **SCHEDULED ITEMS:**

**MAYOR:** Mayor Nixon appointed Heather Page to Planning Commission Position #1. Doug Hanson to Planning Commission Position #6 and John Petree to Planning Commission Position #7. Council, by motion, confirmed the appointments. Mayor Nixon then announced February 13, 2003 as Volunteer Appreciation Day and read the official proclamation for the record.

**COUNCIL: Councilmember Pat Fullmer**, talked about a meeting she attended last week regarding the Washington State Tax Structure Report prepared by the Washington State Tax Structure Study Committee. She encouraged anyone in public office to read the documents and web sites provided about taxes. She said that future meetings of the Committee are going to look at State taxes and how to make them more equitable. She will provide the email link to councilmembers and the Mayor.

**Councilmember Julie Benjamin**, proposed to have a section on City utility bills to allow people to donate to a separate fund for those in need, much like the Warm Home Fund that Puget Sound Energy administers. She said that the fund would be administered by a separate

agency. She asked Council what they thought. Council agreed that it was a good idea and asked the Finance Department to research the project.

**STAFF:**

**Doreen Wise, City Hall Administrator/Planning Director**, reminded Council and the audience of the Council retreat on February 22<sup>nd</sup> and 23<sup>rd</sup>. She asked Council to decide on the times for Sunday. They decided on 9:00 a.m. to 2:00 p.m. Saturday is in Bellevue from 9:00 a.m. to 4:00 p.m. Both meetings are open to the public. She updated everyone on the draft schedule for Arts on Stage in the Park, stating that Carolyn Butler is, as always, working very hard to raise the needed funds. She also mentioned that the Arts On Stage programs are out and that this year is a short season due to scheduling problems. She said they are already working with Cedarcrest High School to schedule a full season for next year. Doreen thanked Jodi Lee Wycoff for putting together a great Volunteer Recognition Event. Doreen also touched on Duvall Days and said that she will have a full report at the next Council meeting. Lastly, she said that the last meeting for Phase 1 of the Visioning Process is going to be on Saturday, February 22<sup>nd</sup>.

**Glenn Merryman, Police Chief**, gave the bad news that two young men died in an accident on Big Rock Road last week. He reiterated that we live in an area with fog, animals, icy and hazardous roads and reminded everyone to be very careful.

**Steve Schuller, Public Works Director**, stated that he would be bringing forward policies for approval soon regarding a reuse system for water. The first policy would be regarding a reuse policy for municipal uses and the other policy would be to allow private developers to have a water reuse system for irrigation and other purposes. Councilmember Von Tobel asked why Kennedy Drive is closed. Steve explained that there is a underground stream on Kennedy that could freeze at any time, especially during these months. He also explained that because of the way the street was originally engineered, it gets steeper the closer you get to Main Street and if someone is sliding, there is no way they can stop before they slide onto Main Street, which could cause a major accident.

**Dianne Nelson, Finance Director**, first asked Council if they were okay with opening a separate account with Bank of America for the Skate Park Fund. They agreed. She then gave a presentation on General Fund revenues – how they look to the City and how they look to the citizens. She also went over Sales Tax and Utility Taxes much the same way.

**Cecelia Boulais, Recycling Coordinator**, explained what happened at the last King County Solid Waste Division Briefing. She said that there is one landfill in King County (Cedar Falls). King County reported that the Solid Waste Division who runs the landfill should have been paying rent all along at about seven million dollars a year. She said that if it is found that they have to pay back rent to King County, the cost might eventually be filtered down to the citizens.

**PUBLIC HEARING:            Proposed Sewer Rate Increase**

**The Public Hearing was opened:    8:07 PM**

**Steve Schuller, Public Works Director**, opened by handing out copies of the Q & A form that was sent with this month's utility bills and read the first paragraph for the record. He also explained that there were many factors that lead up to this point, including an increase in environmental control requirements. He said staff and Council are looking at State and Federal grants and low interest loans for the new sewer plant.

**Dean Williams, 26735 NE Beadonhall Street, Duvall**, has lived here for over twenty years and has been watching Duvall grow and he voted for the 1991 sewer upgrade. He recommended that we use discretion in future construction so this doesn't happen again.

**Keith McKenney, 26715 NE Virginia Street, Duvall**, has also lived here for over twenty years. He asked if there were other ways to pay for this, instead of across the board. One idea he had was to base sewer rates on property values. He agreed with Steve Schuller that future growth should pay for growth.

**Doreen Wise read a letter from Verle Bowe, 15025 3<sup>rd</sup> Ave NE dated February 11, 2003 for the record.** It stated that she is planning to continue to pay the current amount for sewer even if the rate is increased. She does not feel that it is right that she has to pay the same amount as the larger families in the new developments.

**The Public Hearing was closed: 8:26 PM**

**NEW BUSINESS:**

**1. (AB03-10) Resolution Upholding the Density Calculation for the Lopic Subdivision.** *Was moved and seconded (Benjamin - Fullmer) to Approve Resolution Upholding the Density Calculation for the Lopic Subdivision. Motion Carried. (6 ayes). Councilmember Possinger Abstained.*

**2. (AB03-11) Resolution consolidating Resolutions 92-6, 94-21, 96-02, 99-08 and 99-22 and adding an Agricultural Definition and Water Rate.** *Was moved and seconded (Ibershof - Loutsis) to Approve Resolution consolidating Resolutions 92-6, 94-21, 96-02, 99-08 and 99-22 and adding an Agricultural Definition and Water Rate. Motion Carried. (6 ayes). Councilmember Possinger Abstained.*

**3. (AB03-12) Ordinance Amending Ordinance #968, the Budget for Fiscal Year 2003, to provide for a cost of living increase for non-union employees.** *Was moved and seconded (Ibershof - Benjamin) to Approve Ordinance Amending Ordinance #968, the Budget for Fiscal Year 2003, to provide for a cost of living increase for non-union employees.. Motion Carried. (6 ayes). Councilmember Possinger Abstained.*

**EXECUTIVE SESSION: 5 Minutes - Litigation**

8:36 p.m.: The Council Chambers were cleared for a 5-minute Executive Session on Litigation.

8:41 p.m.: The Executive Session on Litigation was extended 5 minutes.

8:46 p.m.: The Regular Council Meeting was called back to order.

**4. Authorize Mayor to Approve and Sign Release & Settlement Agreement – Subert Property.** *Was moved and seconded (Fullmer - Loutsis) to Authorize Mayor to Approve and Sign Release & Settlement Agreement – Subert Property. Motion Carried. (6 ayes). Councilmember Possinger Abstained.*

**ADJOURNMENT:**

Being no further business the Meeting was adjourned. 8:50 p.m.

Signed \_\_\_\_\_  
Mayor Becky Nixon

Attest \_\_\_\_\_  
Jodi Wycoff, Office Assistant